



## **CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP**

**January 22, 2013**

**6:30 p.m. – Anna City Hall Administration Building**

The City Council of the City of Anna will meet in Workshop Session at 6:30 p.m., January 22, 2013, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), regarding the following items.

1. Call to Order
2. Roll Call and Establishment of Quorum.
3. Briefing/Discussion regarding transportation services and the Collin County Area Region Transit. (Bill Whitfield)
4. Discussion regarding Park Concessions Agreement. (Philip Sanders)
5. **CLOSED SESSION (EXCEPTIONS):** Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071); anticipated litigation with Amazing Solar Solutions.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

6. Consider/Discuss/Action on any items listed on posted agenda for January 22, 2013 City of Anna City Council Regular Meeting or any Closed Session occurring during this Workshop, as necessary.
7. Adjourn.

This is to certify that I, Natha Wilkison, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m., January 18, 2013.

*Natha Wilkison*  
Natha Wilkison, City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda.
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## **CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING**

**January 22, 2013**

**7:30 p.m. – Anna City Hall Administration Building**

The City Council of the City of Anna will meet in Regular Session at 7:30 p.m., January 22, 2013, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

*Welcome to the City Council Meeting. Please sign the Sign-In-Sheet as a record of attendance. If you wish to speak on an open-session agenda item please fill out the Opinion/Speaker Registration Form and turn it in to the City Secretary before the meeting starts.*

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. Citizen comments. *Citizens are allowed 3 minutes to speak. The Council is unable to respond to or discuss any issues that are brought up during this section that are not on the agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.*
4. Receive reports from Staff or the City Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.*

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

5. Consent Items. *These items consist of non-controversial or “housekeeping” items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*
  - a. Approve City Council Regular Minutes of January 8, 2013.
  - b. Authorize City Manager to solicit bids for water meters. (James Parkman)
  - c. Review City of Anna Racial Profile Report. (Chief Jenks)
  - d. Approve a resolution regarding a contract with the Cooperative Purchasing Network. (Clayton Fulton)
  - e. Review EDC Minutes of September 8, 2012, September 25, 2012 and November 1, 2012. (Jessica Perkins)
  - f. Review CDC Minutes of September 8, 2012, September 25, 2012 and November 1, 2012. (Jessica Perkins)
  - g. Approval of Final Plat for “West Crossing Phase 2”. (Maurice Schwanke)
6. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the use of eminent domain to condemn private property owned by Chan C. Chung and/or others for public waterline and wastewater line easement associated with alterations to F.M. 455 in the City. (City Manager)
7. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the use of eminent domain to condemn private property owned by Charles K. Green and/or others for public waterline and wastewater line easement associated with alterations to F.M. 455 in the City. (City Manager)
8. Consider/Discuss/Action approving a resolution regarding a contract between the City of Anna and Valley View consulting for investment advisory services. (Clayton Fulton)
9. Consider/Discuss/Action regarding a Resolution approving a Development Agreement with Q Seminole Anna Town Center LP. (City Manager)

1. The Council may vote and/or act upon each of the items listed in this agenda.

2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.

3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

10. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071); anticipated litigation with Amazing Solar Solutions.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

11. Consider/Discuss/Action on any items listed on posted agenda for January 22, 2013 City of Anna Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

12. Adjourn.

This is to certify that I, Natha Wilkison, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m. January 18, 2013.

*Natha Wilkison*

Natha Wilkison, City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda.
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## City of Anna City Council Agenda Staff Report

Council Meeting: January 22, 2013  
Account Code # \_\_\_\_\_  
Amount: \_\_\_\_\_

Staff Contact: City Manager

Exhibits: X Yes       No

**AGENDA SUBJECT:** Briefing/Discussion regarding transportation services and the Collin County Area Region Transit (Bill Whitfield)

**SUMMARY:** The Collin County Area Regional Transit (CCART) is interested in expanding its transportation services to include the various cities in Collin County including the City of Anna. Bill Whitfield, former Mayor of the City of McKinney will brief the Council on CCART's plans which would involve the approval of the attached Interlocal Agreement with participating cities and the possible appointment of a City of Anna official to the Board of Directors.



**City of Anna  
City Council Agenda  
Staff Report**

Council Meeting: January 22, 2013

Staff Contact: Philip Sanders

Account Code #: N/A

Date Prepared: 1-17-13

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Discussion regarding Park Concessions Agreement.

**SUMMARY:**

**RECOMMENDATION:**



## City of Anna City Council Agenda Staff Report

Council Meeting: January 22, 2013

Staff Contact: Philip Sanders

Account Code #: N/A

Date Prepared: 1-17-13

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consent Items. *These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*

- a. Approve City Council Regular Minutes of January 8, 2013.
- b. Authorize City Manager to solicit bids for water meters. (James Parkman)
- c. Review City of Anna Racial Profile Report. (Chief Jenks)
- d. Approve a resolution regarding a contract with the Cooperative Purchasing Network. (Clayton Fulton)
- e. Review EDC Minutes of September 8, 2012, September 25, 2012 and November 1, 2012. (Jessica Perkins)
- f. Review CDC Minutes of September 8, 2012, September 25, 2012 and November 1, 2012. (Jessica Perkins)
- g. Approval of Final Plat for "West Crossing Phase 2". (Maurice Schwanke)

**RECOMMENDATION:** Staff recommends approval of the consent items.





**City of Anna  
City Council Agenda  
Staff Report**

Council Meeting: January 22, 2013

Staff Contact: James Parkman

Account Code #: 60-701-6336

Budgeted Amount: \$250,000.

Exhibits:  Yes  No

**AGENDA SUBJECT:** Authorization to solicit bids for auto read water meters.

**SUMMARY:** Staff is requesting that the City Council authorize the solicitation of competitive bids for 1,500 auto read meters. This will allow us to complete the conversion of our water system to the auto read system saving a significant number of man hours for the Public Works Dept. The estimated cost is \$245,000.

**RECOMMENDATION:** Staff recommends approval of this request.



**City of Anna  
City Council Agenda  
Staff Report**

Council Meeting: January 22, 2013

Staff Contact: Chief Jenks

Account Code #: \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

Exhibits:  Yes       No

**AGENDA SUBJECT:** Presentation of Police Dept's 2012 Racial Profiling Report

**SUMMARY:** Each year by law, the Police Department must file a report concerning the racial makeup of persons that are detained by official Police action that resulted in either an arrest or citation, and present that report to the governing body of the City.

For 2012, as is mandated, this report is available for the public to view on the website of Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE).

The Chief of Police presents the attached report for your information. A link to the report is posted on the City's Website.

**STAFF RECOMMENDATION: N/A**



## City of Anna City Council Agenda Staff Report

Council Meeting: January 22, 2013

Staff Contact: Clayton Fulton

Account Code #: N/A

Date Prepared: 1/17/13

Budgeted Amount: N/A

Exhibits:  Yes       No

**AGENDA SUBJECT:** Approve a resolution regarding a contract with The Cooperative Purchasing Network (TCPN).

**SUMMARY:** TCPN's mission is to help other governmental agencies operate efficiently and economically. Utilizing a TCPN contract means we deal directly with the vendor, as you would normally, using the TCPN contract as our own. We will save the costs associated with the competitive bid process and reap the benefits of nationally leveraged pricing, all at no cost.

**RECOMMENDATION:** Staff recommends the Council approve the resolution authorizing the City Manager to execute the ILA.



## City of Anna City Council Agenda Staff Report

Council Meeting: January 22, 2013

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 1/17/13

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Approve the “West Crossing Phase 2” final plat.

**SUMMARY:** The Engineering plans for West Crossing Phase 2 have been reviewed. The Phase 2 improvements will be south of Hackberry Street and west of Slayter Creek. The staff is recommending approval of this plat. Rough grading has already occurred and installation of the infrastructure should begin soon. Please note that a variance is being sought for the length of Hurstwood Court which is 135 feet longer than normal. Do to the shape of the property and since the lots are larger than most other areas built in the last 10 years this appears to be a reasonable request.

**PLANNING AND ZONING COMMISSION ACTION:** The Planning and Zoning Commission will review the plat at a special meeting scheduled on January 21, 2013.

**RECOMMENDED ACTION:** Approval



## City of Anna City Council Agenda Staff Report

Council Meeting: January 22, 2013  
Account Code #: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_

Staff Contact: Philip Sanders

Exhibits:  Yes       No

### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding a resolution finding a public necessity and authorizing the use of eminent domain to condemn private property owned by Chan C. Chung and/or others for public waterline and wastewater line easement associated with alterations to F.M. 455 in the City. (City Manager)

### **SUMMARY:**

Condemnation of a certain easement as set forth in more detail in the proposed written resolution has now become necessary for the next phase of the above-referenced project to commence. This resolution will further authorize such condemnation and other actions related thereto.

Any motion to approve the resolution should be made precisely as follows:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 618 square feet of land, more or less, in the Granderson Stark Survey, Abstract Number 798, City of Anna, Collin County, Texas, and being part of that certain called 0.2135 acre tract of land described in a deed to Chan C. Chung, as recorded in Volume 5965, Page 2924 of the Official Public Records of Collin County, Texas, said 618 square feet of land being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion, for a waterline and wastewater line easement.”

### **RECOMMENDED ACTION:**

Resolution be approved.



## City of Anna City Council Agenda Staff Report

Council Meeting: January 22, 2013  
Account Code #: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_

Staff Contact: Philip Sanders

Exhibits:  Yes       No

### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding a resolution finding a public necessity and authorizing the use of eminent domain to condemn private property owned by Charles K. Green and/or others for public waterline and wastewater line easement associated with alterations to F.M. 455 in the City. (City Manager)

### **SUMMARY:**

Condemnation of a certain easement as set forth in more detail in the proposed written resolution has now become necessary for the next phase of the above-referenced project to commence. This resolution will further authorize such condemnation and other actions related thereto.

Any motion to approve the resolution should be made precisely as follows:

"I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 1,247 square feet of land, more or less, in the Granderson Stark Survey, Abstract Number 798, City of Anna, Collin County, Texas, and being part of that certain called 0.275 acre tract of land described in a deed to Charles K. Green, as recorded in Volume 5858, Page 3868 of the Official Public Records of Collin County, Texas, said 1,247 square feet of land being more particularly described by the metes and bounds description set forth in Exhibit "A" to this resolution, which I incorporate in full into my motion, for a waterline and wastewater line easement."

### **RECOMMENDED ACTION:**

Resolution be approved.



## City of Anna City Council Agenda Staff Report

Council Meeting: January 22, 2013

Staff Contact: Clayton Fulton

Account Code #: 10-414-6799

Date Prepared: 1/17/13

Budgeted Amount: \$15,000

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action approving a resolution regarding a contract between the City of Anna and Valley View consulting for investment advisory services.

**SUMMARY:** During the budget process, staff recommended inclusion of funds for investment advisory services. Bill Koch from Valley View Consulting came and discussed their services including negotiating banking contracts and improving investment earnings.

Staff contacted other investment advisory services to determine interest and the general response was that Anna's portfolio was too small for their services.

Valley View consulting brings a combined experience of public and private sector investing, direct experience in municipal finance, and a keen understanding of the Texas Public Funds Investment Act.

Staff has included the presentation they gave to the council on August 14, 2012 and the firm's brochure.

A representative from Valley View will be available to answer any questions you may have.

**RECOMMENDATION:** Staff recommends the Council approve the resolution authorizing the City Manager to execute a contract between the City and Valley View Consulting.



## City of Anna City Council Agenda Staff Report

Council Meeting: January 22, 2013  
Account Code # \_\_\_\_\_  
Amount: \_\_\_\_\_

Staff Contact: City Manager

Exhibits: X Yes       No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding a Resolution approving a Development Agreement with Q Seminole Anna Town Center LP.

**SUMMARY:** The attached Development Agreement with Q Seminole Anna Town Center LP constitutes an agreement by Q Seminole Anna Town Center LP to fund one-half of the City's financial obligations for the construction of a median opening in front of the KFC/Taco Bell on FM 455. The Owner's financial obligation, based on the estimate included in the Advance Funding Agreement from TxDOT, will be an estimated \$48,229.22.

If the actual construction cost exceeds TxDOT's estimate, Q Seminole Anna Town Center LP has asked that the Agreement be modified to cap their financial obligation at \$75,000. Section 2 of the Agreement has been modified accordingly. In the unlikely event that the actual construction cost for one-half of the median break exceeds \$75,000, the City of Anna would be responsible for paying the overage.